

The Honorable Richard A. Jones

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

JIMMY GENE MILLER, JR.,

Defendant.

NO. CR21-218 RAJ

PROTECTIVE ORDER

This matter, having come to the Court's attention on the government's unopposed motion for entry of a discovery protective order, and the Court, having considered the motion, and being fully advised in this matter, hereby enters the following PROTECTIVE ORDER:

1. Protected Material.

The following documents and materials are deemed Protected Material: Any unredacted copies, whether paper or electronic, of Bates 10274.

The United States will make available copies of the Protected Material to defense counsel to comply with the government's discovery obligations. Possession of copies of the Protected Materials is limited to the attorneys of record, and investigators, paralegals,

1 law clerks, experts and assistants for the attorneys of record (hereinafter collectively
2 referred to as “members of the defense team”):

3 The members of the defense team may not share or review the documents
4 containing Protected Material, or any copies of any documents containing Protected
5 Material, in any manner with any other person, including Defendant. The members of
6 the defense team shall keep any documents containing Protected Material secured
7 whenever the documents containing Protected Material is not being used in furtherance of
8 their work in the above captioned case.

9 Additional discovery items may be deemed by the parties to constitute Protective
10 Material upon agreement.

11 Any violation of these prohibitions constitutes a violation of the Protective Order.
12 Defense counsel and all members of the defense team are subject to the terms and
13 conditions of this Protective Order. Further, defense counsel are required, prior to
14 disseminating any copies of the Protected Materials to members of the defense team, to
15 provide a copy of this Protective Order to members of the defense team, and obtain
16 written consent by members of the defense team of their acknowledgement to be bound
17 by the terms and conditions of this Protective Order. The written consent need not be
18 disclosed or produced to the United States unless requested by the Assistant United States
19 Attorney and ordered by the Court.

20 Nothing in this order should be construed as imposing any discovery obligations
21 on the government that are different from those imposed by case law and Rule 16 of the
22 Federal Rules of Criminal Procedure.

23 **2. Filing**

24 Any Protected Material that is filed with the Court in connection with pre-trial
25 motions, trial, or other matter before this Court, shall be filed under seal and shall remain
26 sealed until otherwise ordered by this Court. This does not entitle either party to seal
27 their filings as a matter of course. The parties are required to comply in all respects to the
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1 relevant local and federal rules of criminal procedure pertaining to the sealing of court
2 documents.

3 **3. Nontermination**

4 The provisions of this Order shall not terminate at the conclusion of this
5 prosecution.

6 **4. Violation of Any Terms of this Order**

7 Any violation of any term or condition of this Order by the Defendant, his
8 attorneys of record, any member of the defense team, may be held in contempt of court,
9 and/or may be subject to monetary or other sanctions as deemed appropriate by this
10 Court.

11 If the Defendant violates any term or condition of this Order, the United States
12 reserves its right to seek a sentencing enhancement for obstruction of justice, or to file
13 any criminal charges relating to the defendant's violation.

14 The Clerk of the Court is directed to provide a filed copy of this Protective Order
15 to all counsel of record.

16 DATED this 8th day of July, 2022.

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20 THE HONORABLE RICHARD A. JONES
21 UNITED STATES DISTRICT JUDGE
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